

Message Text

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ACTION NEA-10

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C O R R E C T E D C O P Y - T E X T (P A R A 1 . A N D 2 .)

E.O. 11652: N/A
TAGS: SHUM, PK
SUBJECT: HUMAN RIGHTS: CONVERSATION WITH INTERIOR MINISTER

REF: (A) ISLAMABAD A-85, 28 JUL 78 (B) ISLAMABAD 6551 (C) ISLAMABAD 7
832

1. IN MY INITIAL CALL AUG. 16 ON NEW INTERIOR MINISTER MAHMUD HAROON, I TOOK THE OCCASION TO REMIND HIM OF STRONG USG INTEREST IN HUMAN RIGHTS DEVELOPMENTS HERE AND ELSEWHERE. HAROON ACCEPTED MY STATEMENTS WITHOUT DEMUR AND THEN RECITED POSITIVE ASPECTS OF SITUATION HERE, NOTING THAT GREATER PRESS FREEDOM NOW EXISTED THAN AT ANY TIME IN PAKISTAN'S 31 YEAR HISTORY, THAT THERE ARE NO "PRISONERS OF CONSCIENCE" IN PAKISTAN AS DEFINED BY AMNESTY INTERNATIONAL, THAT MOST JUDICIAL PROCEEDINGS ARE NOW HEARD IN CIVIL AND NOT MILITARY COURTS, AND THAT THE ARMY IS RAPIDLY GIVING UP ITS CIVIL ADMINISTRATION FUNCTIONS.

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2. IN RESPONSE TO MY QUESTION AS TO THE NUMBER OF POLITICAL PRISONERS IN PAKISTAN, HAROON ASSERTED THAT NO ONE IS IN PRISON FOR POLITICAL BELIEFS OR FOR CRITICISM OF THE GOVERNMENT. HE NOTED, HOWEVER, THAT THERE MAY BE 25-30 CURRENTLY IMPRISONED ON THE BASIS OF "REASONABLE EVIDENCE" THAT THEY WERE PLANNING OR FOMENTING VIOLENT ACTS AGAINST THE GOVERNMENT. IN THESE CASES, PRISONERS HAD

ACCESS TO JUDICIAL COURTS FOR HABEAS CORPUS APPEALS. HE NOTED THAT BHUTTO'S DAUGHTER HAD WON HER RELEASE FROM HOUSE ARREST BY SUCH AN APPEAL TO THE HIGH COURT AND THAT A SIMILAR APPEAL BY MRS. BHUTTO WAS NOW BEING HEARD.

3. COMMENT: HAROON'S COMMENTS ON THE HUMAN RIGHTS SITUATION IN PAKISTAN ARE ESSENTIALLY CORRECT IF INCOMPLETE. THERE ARE PROBABLY FEWER PREVENTIVE ARRESTS TODAY THAN IN MOST PERIODS OF PAKISTAN'S TURBULENT HISTORN; (ALTHOUGH WE HEAR FIGURES HIGHER THAN HAROON'S 25-30); THE PRESS IS ALSO QUITE FREE TO CRITICIZE GOVERNMENT POLICY AND TO ADVOCATE A WIDE RANGE OF POLITICAL OPINIONS; AND THE DIRECT INVOLVEMENT OF THE MILITARY IN CIVIL ADMINISTRATION IS RAPIDLY RECEDING AT MOST OPERATIONAL LEVELS INCLUDING THE JUDICIARY. THE FUNDAMENTAL FLAW IN HAROON'S ARGUMENT, HOWEVER, IS THAT THIS REMAINS NEVERTHELESS A MARTIAL LAW ADMINISTRATION, ARBITRARY IN ITS ORIGINS AND ARBITRARY IN ITS DECISION-MAKING. THUS WHAT IS A RELATIVELY POSITIVE HUMAN RIGHTS PICTURE TODAY CAN TURN DRAMATICALLY DARKER AT ANY TIME IF THE MLA CHOOSES TO EXERCISE ITS EXTENSIVE ARBITRARY POWER. HUMMEL

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